

Translation

PATENT COOPERATION TREATY

PCT/CH2003/000449



PCT

INTERNATIONAL PRELIMINARY EXAMINATION REPORT

(PCT Article 36 and Rule 70)

Applicant's or agent's file reference P2058 PCT	<b>FOR FURTHER ACTION</b> See Notification of Transmittal of International Preliminary Examination Report (Form PCT/IPEA/416)	
International application No. PCT/CH2003/000449	International filing date (day/month/year) 07 July 2003 (07.07.2003)	Priority date (day/month/year) 20 August 2002 (20.08.2002)
International Patent Classification (IPC) or national classification and IPC B65B 9/02, 59/00, B65H 27/00, 29/12		
Applicant FERAG AG		

1. This international preliminary examination report has been prepared by this International Preliminary Examining Authority and is transmitted to the applicant according to Article 36.
2. This REPORT consists of a total of <u>5</u> sheets, including this cover sheet.  <input checked="" type="checkbox"/> This report is also accompanied by ANNEXES, i.e., sheets of the description, claims and/or drawings which have been amended and are the basis for this report and/or sheets containing rectifications made before this Authority (see Rule 70.16 and Section 607 of the Administrative Instructions under the PCT).  These annexes consist of a total of <u>2</u> sheets.
3. This report contains indications relating to the following items:  I <input checked="" type="checkbox"/> Basis of the report II <input type="checkbox"/> Priority III <input type="checkbox"/> Non-establishment of opinion with regard to novelty, inventive step and industrial applicability IV <input type="checkbox"/> Lack of unity of invention V <input checked="" type="checkbox"/> Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement VI <input type="checkbox"/> Certain documents cited VII <input type="checkbox"/> Certain defects in the international application VIII <input type="checkbox"/> Certain observations on the international application

Date of submission of the demand 12 July 2003 (12.07.2003)	Date of completion of this report 08 December 2004 (08.12.2004)
Name and mailing address of the IPEA/EP  Facsimile No.	Authorized officer  Telephone No.

# INTERNATIONAL PRELIMINARY EXAMINATION REPORT

International application No.

PCT/CH2003/000449

## I. Basis of the report

### 1. With regard to the elements of the international application:\*

- ☐ the international application as originally filed
- ☒ the description:  
 pages \_\_\_\_\_ 1-17 \_\_\_\_\_, as originally filed  
 pages \_\_\_\_\_, filed with the demand  
 pages \_\_\_\_\_, filed with the letter of \_\_\_\_\_
- ☒ the claims:  
 pages \_\_\_\_\_ 3-15 \_\_\_\_\_, as originally filed  
 pages \_\_\_\_\_, as amended (together with any statement under Article 19  
 pages \_\_\_\_\_, filed with the demand  
 pages \_\_\_\_\_ 1, 2 \_\_\_\_\_, filed with the letter of \_\_\_\_\_ 06 October 2004 (06.10.2004)
- ☒ the drawings:  
 pages \_\_\_\_\_ 1/5-5/5 \_\_\_\_\_, as originally filed  
 pages \_\_\_\_\_, filed with the demand  
 pages \_\_\_\_\_, filed with the letter of \_\_\_\_\_
- ☐ the sequence listing part of the description:  
 pages \_\_\_\_\_, as originally filed  
 pages \_\_\_\_\_, filed with the demand  
 pages \_\_\_\_\_, filed with the letter of \_\_\_\_\_

### 2. With regard to the language, all the elements marked above were available or furnished to this Authority in the language in which the international application was filed, unless otherwise indicated under this item.

These elements were available or furnished to this Authority in the following language \_\_\_\_\_ which is:

- ☐ the language of a translation furnished for the purposes of international search (under Rule 23.1(b)).
- ☐ the language of publication of the international application (under Rule 48.3(b)).
- ☐ the language of the translation furnished for the purposes of international preliminary examination (under Rule 55.2 and/or 55.3).

### 3. With regard to any nucleotide and/or amino acid sequence disclosed in the international application, the international preliminary examination was carried out on the basis of the sequence listing:

- ☐ contained in the international application in written form.
- ☐ filed together with the international application in computer readable form.
- ☐ furnished subsequently to this Authority in written form.
- ☐ furnished subsequently to this Authority in computer readable form.
- ☐ The statement that the subsequently furnished written sequence listing does not go beyond the disclosure in the international application as filed has been furnished.
- ☐ The statement that the information recorded in computer readable form is identical to the written sequence listing has been furnished.

### 4. ☐ The amendments have resulted in the cancellation of:

- ☐ the description, pages \_\_\_\_\_
- ☐ the claims, Nos. \_\_\_\_\_
- ☐ the drawings, sheets/fig \_\_\_\_\_

### 5. ☐ This report has been established as if (some of) the amendments had not been made, since they have been considered to go beyond the disclosure as filed, as indicated in the Supplemental Box (Rule 70.2(c)).\*\*

\* Replacement sheets which have been furnished to the receiving Office in response to an invitation under Article 14 are referred to in this report as "originally filed" and are not annexed to this report since they do not contain amendments (Rule 70.16 and 70.17).

\*\* Any replacement sheet containing such amendments must be referred to under item 1 and annexed to this report.

# INTERNATIONAL PRELIMINARY EXAMINATION REPORT

International application No.

PC 03/00449

## V. Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

### 1. Statement

Novelty (N)	Claims	1-15	YES
	Claims		NO
Inventive step (IS)	Claims	1-15	YES
	Claims		NO
Industrial applicability (IA)	Claims	1-15	YES
	Claims		NO

### 2. Citations and explanations

#### Citations:

Reference is made to the following documents:

D1: WO-A-00/64738 (HANSEN ERIK J; SCHUR PACKAGING SYSTEMS AS (DK)) 2 November 2000 (2000-11-02)

D2: DE-A-35 28 634 (BUEHLER OPTIMA MASCHF) 12 February 1987 (1987-02-12)

D3: US-A-5 131 973 (FELDKAMPER RICHARD) 21 July 1992 (1992-07-21).

- 1 Closest prior art: Document D1 discloses, in the wording of claim 1 (see the figures), a device for processing flat objects (2) which are conveyed successively and parallel to the direction of conveying, said device comprising feeding means (4) and a conveyor (34) as well as a processing drum (8) which can be driven in rotation about a substantially horizontal axis, the processing drum (8) being arranged between the feeding means (4) and the conveyor (34) in such a way that the objects (2) can be fed by the feeding means (4) into the region of an input point on the periphery of the processing drum (8) and can be carried away by the conveyor (34) in the region of an output point, the processing drum (8) having axially extending support elements and tool elements (36) disposed alternately and regularly

around its periphery, the processing drum (8) also having a pressure belt (10) which is disposed between the input point and the output point and runs around the periphery of the processing drum (8), the pressure belt (10) being arranged by means of a final input-side deflecting roller (12) and/or by a first output-side deflecting roller (14) (cf. claim 1 in part).

Problem: The problem addressed by the invention is

- (problem P1) that of obtaining a device wherein a plurality of packaging formats can be adjusted in a simple manner;
- (problem P2) that of supporting the objects during their conveying to the drum periphery and/or from the drum periphery.

Solution: The characterizing portion of claim 1 defines, as special features of the claimed device:

- (feature F1) the radial position of the support elements and tool elements (36) disposed alternately and regularly around the periphery of the processing drum can be adjusted;
- (feature F2) the pressure belt is arranged in such a way that it forms at least a final portion of the feeding means and/or at least a first portion of conveyor, on which conveying means portions the objects (10) lying thereon can be conveyed to and/or from the drum periphery;
- (feature F3) the above-mentioned deflecting rollers have a constant position which is independent of the radial position of the support elements and tool elements; and

- (feature F4) additional conveying means portions follow on from the above-mentioned deflecting rollers in a manner independent of the radial position of the support elements and tool elements.

Novelty and inventive step: A combination of this kind is neither known from, nor suggested by, the available prior art. The prior art which concerns the devices having the features of the preamble of claim 1 contains no direct suggestion of the solution as per the invention. In this context, the subject matter of claim 1 could only be approached in theory by a combination of features of D1 with features of the international search report citations D2 and D3, because a person skilled in the art would not only have to decide which features of each document must be retained, modified or omitted, but would also have to combine the corresponding result with additional features (e.g., feature F4) in order to completely reconstruct the claimed subject matter. This presupposes an inventive step.